

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J. GORTE  
John M. VOHS  
Radu CRACIUN

Serial No.: 09/864,788

Filing Date: 24 May 2001

Title: METHOD FOR SOLID OXIDE FUEL CELL  
ANODE PREPARATION

Group No.: 1745

Examiner:  
Mercado, Julian A.

OFFICIAL

## COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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OCT 28 2003

Dear Sir:

This Communication is being filed pursuant to a telephone interview between the Examiner and the undersigned on 28 October 2003 during the course of which the Examiner indicated that he was about to send out an Office Action provisionally rejecting the subject application solely on the basis of obviousness-type double patenting in view of co-pending U.S. patent application Serial No. 09/914,638

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Mark R. Fejer  
Type or print name of person signing certification  
Mark R. Fejer 28 Oct. 2003  
Signature Date

GRI-01-009

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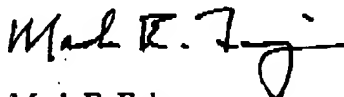
Serial No.: 09/864,788

filed 27 December 2001, which rejection the Examiner indicated could be overcome by the filing of a suitable Terminal Disclaimer. For the sake of expediting the prosecution of the subject application by avoiding the mailing of the Office Action, the Examiner indicated that Applicants could file a Terminal Disclaimer by facsimile transmission, which he would consider immediately upon receipt. Accordingly, Applicants are enclosing herewith a Terminal Disclaimer, in duplicate, which includes authorization to the Commissioner to charge the fee associated therewith to Deposit Account 502045.

Applicants wish to thank the Examiner for his suggestion regarding the filing of the Terminal Disclaimer by facsimile transmission so as to expedite prosecution of the subject application.

Applicants sincerely believe that this patent application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



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